

VZCZCXYZ0003
RR RUEHWEB

DE RUEHC #7369 2051259
ZNR UUUUU ZZH
R 241240Z JUL 09
FM SECSTATE WASHDC
TO RUEHWL/AMEMBASSY WELLINGTON 0000
INFO RHMCSSU/FBI WASHINGTON DC 0000
RUEAIIA/CIA WASHINGTON DC 0000
RUCPDOC/USDOC WASHINGTON DC 0000
RUEKJCS/SECDEF WASHINGTON DC
RUEPINS/HQ BICE INTEL WASHINGTON DC

UNCLAS STATE 077369

SIPDIS
WELLINGTON FOR THOMAS J. WALSH

E.O. 12958: N/A

TAGS: ETTC KOMC NZ

SUBJECT: BLUE LANTERN LEVEL 3: POST-SHIPMENT END-USE CHECK
ON LICENSE 050087303 AND 050107693

REF: 2006 BLUE LANTERN GUIDEBOOK

¶1. This is an Action Request. See paragraphs 2-4.

¶2. The Department's Office of Defense Trade Controls Compliance (PM/DTCC) requests post's assistance in conducting a post-shipment check on licenses 050087303 and 050107693 for the export of night vision devices (NVDs) to New Zealand. Post is requested to complete this Blue Lantern check within 45 days. Lack of response to a Blue Lantern check will affect pending and future licenses involving parties to this license.

¶3. Reason for request: Unfamiliar foreign consignee and end-user, Garden City Helicopters. The company has appeared on previous licenses but the company's bona fides have not been verified by a Blue Lantern check. Moreover, due to the sensitivity of the equipment and the potential for their diversion or misuse, the Department of State and the Department of Defense have policies of carefully scrutinizing NVD export licenses and taking steps to ensure proper end-use. Provisos attached to these licenses obligate the end-user to secure the NVDs from loss, theft, or unauthorized access, and to perform routine inventory checks by serial number. These records are to be made available for review upon US Government request.

¶4. Action Request: Post is requested to make appropriate inquiries to confirm continued possession by Garden City Helicopters of the NVDs, to determine the serial numbers of the NVDs, and to verify that all NVDs are secure and being used only for the purpose stated on the license. Department requests that post conduct a site visit, if possible, in order to gather and verify this information and establish the bona fides of unfamiliar foreign end-user, Garden City Helicopters. If a site visit is not possible, please obtain official written confirmation of receipt and possession and inform PM/DTCC case officer.

The following questions are provided as suggested guidance:

--Does the company have secure facilities and proper accounting and security procedures for handling sensitive USML items?

--What is the exact end-use for this USML item?

--When was the company established and who are its principals?

--What is the nature of its business -- what type of items does it handle?

--What type of organizations are among its typical customers and where are the customers located?

--Does the company understand the restrictions on United States Munitions List (USML) items, especially the prohibition against unauthorized re-transfer and re-export?
END ACTION

¶5. For background, the following details of the license in question are provided:

DTC Case: 050107693

QUANTITY/COMMODITY:

2 ITT Model F4949F, Gen III ANVIS 9 Aviator NVG with FOM of 1600 including accessories
2 Quick disconnect mounting screw sets
2 Case Assembly shipping and storage (P/N 268787-1)
2 LPBP counterweight assy, (P/N 268465-CW)
2 Helmet mount assy, SPH-4AF (P/N 265897-1)
2 Clip on power source (P/N A3260911)

License Value: USD 22,992.00

COMMENT: According to U.S. Customs data, 2 NVDs and related component parts were exported to New Zealand on 7 September 2008
END COMMENT

SELLER:

Aviation Specialties Unlimited, Inc.
4632 W. Aeronca St.
Boise, ID 83705
POC is Chris Atwood, Tel. 208-287-5389

FOREIGN CONSIGNEE:

Garden City Helicopters
515 Memorial Avenue P.O. Box 14147
Christchurch
New Zealand
POC is General Manager, Simon Duncan, Tel. 03-547-4360

FOREIGN END-USER:

Garden City Helicopters
515 Memorial Avenue P.O. Box 14147
Christchurch
New Zealand
POC is General Manager, Simon Duncan, Tel. 03-547-4360

PURPOSE:

Night vision spare parts and accessories to be used to maintain critical component parts of NVGs currently in use and previously approved by USDOS under export license 1002922.

¶6. Submitted in support of the license application were the following documents (PM/DTCC can fax documentation to post upon request):

--Nontransfer and Use Certificate (Form DSP-83), submitted by Garden City Helicopters, signed by General Manager, Simon Duncan on 12 November 2007, and by SGT Peter Summerfield of the New Zealand Police (Tel. 0064 4 474 9499) on 12 November ¶2007.

--Purchase Order No. 408224 submitted by Garden City Helicopters, signed by General Manager, Simon Duncan on 8 December 2007.

¶7. For background, the following details of the license in

question are provided:

DTC Case: 050087303

QUANTITY/COMMODITY:

2 ITT Model F4949F, Gen III ANVIS 9 Aviator NVG with FOM of 1600 including accessories
2 Quick disconnect mounting screw sets
2 Case Assembly shipping and storage (P/N 268787-1)
2 LPBP counterweight assy, (P/N 268465-CW)
2 Helmet mount assy, SPH-4AF (P/N 265897-1)

License Value: USD 22,947.00

COMMENT: According to U.S. Customs data, 2 NVDs and related component parts were exported to New Zealand on 7 September 2008

END COMMENT

SELLER:

Aviation Specialties Unlimited, Inc.
4632 W. Aeronca St.
Boise, ID 83705
POC is Chris Atwood, Tel. 208-287-5389

FOREIGN CONSIGNEE:

Garden City Helicopters
515 Memorial Avenue P.O. Box 14147
Christchurch
New Zealand
POC is General Manager, Simon Duncan, Tel. 03-547-4360

FOREIGN END-USER:

Garden City Helicopters
515 Memorial Avenue P.O. Box 14147
Christchurch
New Zealand
POC is General Manager, Simon Duncan, Tel. 03-547-4360

PURPOSE:

Night vision goggles to be used for observers and additional flight crew while conducting night missions for emergency medical, search and rescue, and law enforcement services. Night vision goggle spare parts to be used to maintain systems currently in use and previously approved by USDOS and the systems in this export license request.

18. Submitted in support of the license application were the following documents (PM/DTCC can fax documentation to post upon request):

--Nontransfer and Use Certificate (Form DSP-83), submitted by Garden City Helicopters, signed by General Manager, Simon Duncan on 15 May 2008, and by Inspector (foreign government certification), Hugh R. Flower on 15 May 2008.

--Purchase Order No. AA696156 submitted by Garden City Helicopters, signed by General Manager, Simon Duncan on 23 April 2008.

19. Please slug reply for PM/DTCC - BLUE LANTERN COORDINATOR and include the words "Blue Lantern" and the case number in the subject line. POC is Tim Mazzarelli, Phone: 202-663-3867; Email: MazzarelliTP@state.gov; SIPRNET: MazzarelliTP@state.sgov.gov. The Blue Lantern Guidebook (ref) is available as a PDF file in the Bunche Library's E-Book Collection on the DOS Intranet:
<http://buncheelectroniclibrary.state.gov/ebook/ks/BlueLanternGuidebook2006%20final.pdf>

10. Department is grateful for post's assistance in this matter.

CLINTON